

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.7532 of 2021

Date of Decision: April 20, 2021

Varinderpal Singh @ Veena

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Brijeshwar Singh Bhalla, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.208 dated 12.11.2018, under Sections 302, 307, 34 and Sections 450, 148, 149, 120-B IPC 1860 and Sections 25 and 27 Arms Act, 1959, registered at Police Station, Baghapurana, District Moga. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 24.02.2021, whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged occurrence took place on 12.11.2018, and in respect of that, no role has been attributed to the petitioner, who was neither named in the FIR nor was present at the spot. He submits that upon a disclosure statement of Lakhwinder Singh recorded on 25.12.2019, the petitioner has been indicted as an accused on the ground that the weapon used in the crime was provided by him.

Learned State counsel does not dispute this fact that the indictment of the petitioner is founded on the disclosure statement of co-accused Lakhwinder Singh. He prays for time to seek instructions.

Adjourned to 20.04.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Boota Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 24.02.2021 is made absolute.

April 20, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No